IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 542 OF 2006

IN

CRIMINAL APPEAL NO. 332 OF 2005

Amol @ Bandu Uttamlal Mehta.. .... Applicant.
Versus
The State of Maharashtra.... ... Respondent.

Mr.B.K.Lawate i/by r.Dinesh Tiwari for the Applicant.
Mr. A. S. Shitole, APP for the State.

CORAM : D. B. BHOSALE, J.

DATED : 10TH JULY, 2006.

P.C.:

This is an application for bail in the appeal which has already been admitted on merits. The applicant has been convicted of the offences punishable under Sections 316 and 307 of the Indian Penal Code and sentenced to suffer R.I. for 7 years and to pay fine of Rs.5,000/-, in default to suffer further R.I. for 2 years on each count. On appreciation of evidence, the trial court held him guilty of offences under both the sections. The applicant had allegedly assaulted the complainant with knife and caused six incised injuries, out of which

three were grievous and on vital parts of the body. At the relevant time the victim was pregnant of nine months. It is clear from the evidence of the doctor and medical certificate, Exhibit 11, as referred to in paragraphs 12A and 12B of the judgment impugned, the injury suffered by the victim on her stomach caused death of a quick born child. On appreciation of the evidence, the trial court found the accused guilty beyond reasonable doubt.

2. Looking to the seriousness of the offence committed and proved during the trial, this is not a fit case to enlarge the applicant on bail. This application for bail is, accordingly, rejected.

Sd/-

(D. B. BHOSALE, J.)